

Application for the Vacation of  
Public Right of Way or Easement  
City of Lawrence, Kansas

Date Application Submitted: 6.9.08

Procedures for Vacation Application:

1. Complete Vacation Application Form, including legal description.
2. Provide ownership list from Douglas County Clerk's Office for property owners within 200 feet of proposed vacation.
3. For vacation requests that are not initiated by City staff or the City Commission, please provide a check made payable to "City of Lawrence, Kansas" in the amount of \$200.00. This check should accompany the completed application, and is non-refundable. The application fee covers staff work and publication costs for the notices.

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**Section 1. Property Owner Information.** Provide information on property owner(s) adjoining proposed vacation requesting the vacation:

Name of Property Owner(s): Boardwalk Apartments, LC  
Address of Property Owner: 6140 HIGH DR.  
MISSION HILLS, KS 66202-1244  
Telephone Number: 1-816-520-1340

If the owner is represented by a third party (engineer, architect, attorney) who will serve as the applicant's representative, provide contact information:

PAUL WERNER, PLWA; PO Box 1536 66044; 785-832-0804  
TODD THOMPSON; Attorney; 785-841-4554

**Section 2. Background Information.**

- A) Describe the proposed vacation. What is proposed to be vacated? (e.g. Right-of-way, utility easement, drainage easement).

RIGHT-OF-WAY; REFER TO ATTACHMENTS.

- B) Describe the purpose or reason for seeking the proposed vacation:

THE VACATION WILL ALLOW THE FUTURE  
IMPROVEMENTS AT BOARDWALK APARTMENTS TO BE  
MORE IN COMPLIANCE WITH THE NEW DEVELOPMENT CODE,  
AND BE MORE SENSITIVE TO THE NEIGHBORING PROPERTIES.

- C) Attach a copy of the plat of record of the property, indicating the location of the proposed vacation. SEE ATTACHED

- D) Attach a copy of the legal description for the portion of the easement or right-of-way which is to be vacated. SEE ATTACHED.

**Section 3. City Staff Review. The following items will be reviewed by City staff in the Public Works, Utilities and Planning Departments, as applicable.**

- A)** Will the proposed vacation impair access to a public street by any adjoining property owners? Yes or No, explain:

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- B)** Are utilities currently located in the easement or right-of-way?

Water	Yes or No
Sanitary Sewer	Yes or No
Stormsewer	Yes or No
Gas	Yes or No
Electric	Yes or No
Telephone	Yes or No
Cable	Yes or No

- C)** Will the proposed vacation impair the ability of utilities to deliver services to the adjoining property and surrounding area?

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- D)** Should the vacation reserve any City rights?

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- E)** City staff recommendation for the proposed vacation:

Public Works	_____
Planning	_____
Utilities	_____

**Section 4. After City staff approval, the property owner must execute a Petition for Vacation which will be prepared by City staff. Once a petition has been received, notice of the hearing on vacation will be published. The City Commission will consider the proposed vacation at the hearing, and if appropriate, authorize the Mayor to execute the Order of Vacation which vacates the easement or right-of-way.**